

EXHIBIT H

Case 3:05-mc-00208-PCD Document 64 Filed 10/25/2006 Page 1 of 2

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

APPEARANCE

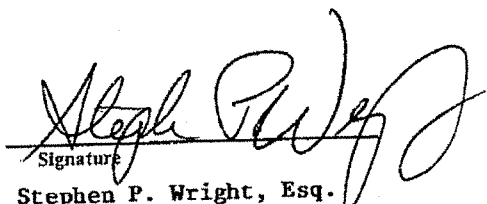
CASE NUMBER: 3:05mc208(PCD)

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for:

The Palestinian Investment Fund

October 25, 2006
Date
ct02255
Connecticut Federal Bar Number
203-878-0661
Telephone Number
203-878-9568
Fax Number
spw@quidproquo.com
E-mail address


Signature
Stephen P. Wright, Esq.
Print Clearly or Type Name
Harlow, Adams & Friedman, P.C.
Address
300 Bic Drive, Milford, CT 06460

CERTIFICATE OF SERVICE

This is to certify that the foregoing Appearance was mailed on this date to the following:

See Attached Certification


Signature

(Use additional pages, if necessary, to list the name and address of each attorney or party for which you are certifying service)

Appearance.frm.Jan.2001

CERTIFICATION

I hereby certify that on the 25th day of October, 2006, a true copy of the within was sent both via ECF and email to:

Robert F. Maslan, Jr.
9 Old King's Highway South
P.O. Box 37
Darien, CT 06820
(email maslan@maslanbrown.com)

Robert A. Alessi
Tamara L. Schlinger
CAHILL GORDON & REINDEL LLP
Eighty Pine Street
New York, NY 10005-1702
(email ralessi@cahill.com, tschlinger@cahill.com)

Charles L. Kerr
Mark D. McPherson
MORRISON & FOERSTER
1290 Avenue of the Americas
New York, NY 10104-0050
(email ckerr@mofo.com, mmcpherson@mofo.com)

Jeffrey J. Tinley
Erin L. Golembiewski
TINLEY, NASTRI, RENEHAN & DOST
60 No. Main Street, Second Floor
Waterbury, CT 06702
(email jtinley@tnrdlaw.com, egolembiewski@tnrdlaw.com)

/s/ Stephen P. Wright

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

ESTATE OF YARON UNGAR, et al.

Plaintiffs – Judgment Creditors

v.

3:05mc208 (PCD)

THE PALESTINIAN AUTHORITY, et al.

Defendants – Judgment Debtors

**PLAINTIFFS' MOTION FOR A TURNOVER ORDER AND APPOINTMENT OF A
RECEIVER TO SELL PARTNERSHIP INTERESTS**

For the reasons set forth in the accompanying Memorandum, Plaintiffs/Judgment Creditors respectfully move for an Order

(1) Directing Canaan Equity Offshore C.V., Canaan Equity II Offshore C.V., Canaan Equity III Offshore C.V., Canaan Offshore Management N.V. and Canaan Partners to turnover to the Sheriff, for further transfer to the Plaintiffs/Judgment Creditors in partial satisfaction of their judgment in this matter, all cash partnership distributions and any other assets or property (except for the partnership interests which are described in (2) below) owed, due and/or belonging to The Palestine Investment Fund;

(2) Directing that a person to be selected by the Court be appointed as a receiver of this Court empowered to sell and convey all partnership interests of the Palestine Investment Fund in Canaan Equity II Offshore C.V. and Canaan Equity III Offshore C.V., and to remit the proceeds of such sale to the

Plaintiffs/Judgment Creditors in partial satisfaction of their judgment in this matter; and

(3) Granting any further relief that the Court finds just, necessary or appropriate.

Plaintiffs, by their Attorneys,

/s/ Stephen P. Wright
Stephen P. Wright ct02255
Harlow, Adams & Friedman, P.C.
300 Bic Drive
Milford, CT 06460
(203) 878-0661
(203) 878-9568 (fax)

David J. Strachman
McIntyre, Tate, & Lynch LLP
321 South Main Street, Suite 400
Providence, RI 02903
(401) 351-7700
(401) 331-6095 (fax)

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

ESTATE OF YARON UNGAR, et al.

Plaintiffs – Judgment Creditors

v.

3:05mc208 (PCD)

THE PALESTINIAN AUTHORITY, et al.

Defendants – Judgment Debtors

[PROPOSED] ORDER

For the reasons set forth in Plaintiffs' Motion for a Turnover Order and Appointment of a Receiver to Sell Partnership Interests, and the Memorandum submitted in support thereof, it is hereby

ORDERED, that Canaan Equity Offshore C.V., Canaan Equity II Offshore C.V., Canaan Equity III Offshore C.V., Canaan Offshore Management N.V. and Canaan Partners shall forthwith turnover to the Sheriff, for further transfer to the Plaintiffs/Judgment Creditors in partial satisfaction of their judgment in this matter, all cash partnership distributions and any other assets or property (except for the partnership interests which are described below) owed, due and/or belonging to The Palestine Investment Fund; and it is further

ORDERED that _____ shall be and hereby is appointed as a receiver of this Court empowered to sell and convey all partnership interests of the Palestine Investment Fund in Canaan Equity II Offshore C.V. and Canaan Equity III

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Offshore C.V., and to remit the proceeds of such sale to the Plaintiffs/Judgment Creditors
in partial satisfaction of their judgment in this matter.

SO ORDERED

Date:

United States District Judge

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Robert F. Maslan, Jr.
9 Old King's Highway South
P.O. Box 37
Darien, CT 06820
(email maslan@maslanbrown.com)

Robert A. Alessi
Tamara L. Schlinger
CAHILL GORDON & REINDEL LLP
Eighty Pine Street
New York, NY 10005-1702
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Erin L. Golembiewski
TINLEY, NASTRI, RENEHAN & DOST
60 No. Main Street, Second Floor
Waterbury, CT 06702
(email jtinley@tnrdlaw.com, egolembiewski@tnrdlaw.com)

/s/ Stephen P. Wright

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

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Plaintiffs – Judgment Creditors

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THE PALESTINIAN AUTHORITY, et al.

Defendants – Judgment Debtors

**PLAINTIFFS' MEMORANDUM IN SUPPORT OF THEIR MOTION FOR A
TURNOVER ORDER AND APPOINTMENT OF A RECEIVER TO SELL
PARTNERSHIP INTERESTS**

Introduction

Plaintiffs/Judgment Creditors ("Ungars") hold a final judgment against the Palestinian Authority ("PA") in the amount of \$116,409,123 which they seek to enforce in this Court against partnership interests in Canaan Equity Offshore C.V., Canaan Equity II Offshore C.V. and Canaan Equity III Offshore C.V..

The partnership interests are nominally titled to The Palestine Investment Fund ("PIF") and Becont Ltd, which are holding companies established by the PA.

The ownership and management of the PIF have recently undergone a significant change. On September 19, 2006, the United States District Court in Rhode Island entered a final judgment assigning all of the PA's ownership rights in the PIF to the Ungars, and the directors and management of the PIF have been replaced.

Contemporaneously with the filing of this motion, the PIF is appearing in this matter to notify the Court of its consent to the Ungars' enforcement proceedings against the partnership interests in Canaan titled to the PIF.

Thus, the instant motion is being made with the consent of the sole interested party, and the relief sought herein therefore can and should be granted forthwith.¹

I. CANAAN SHOULD BE ORDERED TO TURNOVER ALL PARTNERSHIP DISTRIBUTIONS OWED TO THE PIF

The PIF has limited partnership interests in Canaan Equity II Offshore C.V. and Canaan Equity III Offshore C.V.. *See* Affidavit of Guy M. Russo (Exhibit A), at 8.

As of May, 2005, the Canaan entities owed PIF cash partnership distributions in the amount of \$194,719.44, arising from the PIF's limited partnership interests. *See* Exhibit B.

Presumably, this sum has grown considerably since that time.

Section 52-356b of the Connecticut General Statutes, applicable here by operation of Fed.R.Civ.P. 69, authorizes the Court to issue a turnover order commanding a third party to turnover personal property in satisfaction of a judgment.

Therefore, the Court can and should issue an order commanding Canaan to turnover to the sheriff all partnership distributions and any other assets or property (except for the partnership interests which are discussed in Section II below) in satisfaction of the Ungars' judgment.

II. A RECEIVER SHOULD BE APPOINTED TO SELL THE PIF'S PARTNERSHIP INTERESTS

As noted, the PIF has limited partnership interests in Canaan Equity II Offshore C.V. and Canaan Equity III Offshore C.V. *See* Exhibit A at 8.

¹ In light of the PIF's appearance and its consent to the relief sought by the Ungars, both prongs of Canaan's pending motion (for joinder of the PIF and for a bond to cover its costs in future proceedings) have been mooted in respect to the PIF.

Sale of a limited partnership interest of this nature by the sheriff in a public sale would be difficult and impractical. These are long-term investments worth millions of dollars, and the pool of potential buyers is narrow and highly specific.

Also, Canaan has expressed interest in providing input regarding the identity of the purchaser and the mechanics of the sale. While Canaan has no right to veto a purchaser or to dictate the sale procedure, the Ungars have no objection, *ex gratia*, to allowing Canaan to assist in locating a buyer and facilitating the sale. Canaan may well know of other limited partners interested in purchasing the interests of the PIF.

Therefore, sale of the partnership interests by a receiver would most efficient, just and fair to all concerned. The Court is empowered to appoint a receiver to sell the partnership interests under C.G.S. §§ 52-356b and § 52-504, as well as Fed.R.Civ.P. 66.

III. CONCLUSION

The instant motion should be granted.

Plaintiffs, by their Attorneys,

/s/ Stephen P. Wright
Stephen P. Wright ct02255
Harlow, Adams & Friedman, P.C.
300 Bic Drive
Milford, CT 06460
(203) 878-0661
(203) 878-9568 (fax)

David J. Strachman
McIntyre, Tate, & Lynch LLP
321 South Main Street, Suite 400
Providence, RI 02903
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New York, NY 10005-1702
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Waterbury, CT 06702
(email jtinley@tnrdlaw.com, egolembiewski@tnrdlaw.com)

/s/ Stephen P. Wright

Exhibit A.

Motion to file Exhibit "A" under seal pending.

Exhibit B.

Motion to file Exhibit "B" under seal pending.

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

ESTATE OF YARON UNGAR, et al.

Plaintiffs – Judgment Creditors

v.

3:05mc208 (PCD)

THE PALESTINIAN AUTHORITY, et al.

Defendants – Judgment Debtors

STATEMENT OF THE PALESTINE INVESTMENT FUND

The Palestine Investment Fund hereby respectfully notifies the Court that it consents to all the relief sought in Plaintiffs' Motion for a Turnover Order and Appointment of a Receiver to Sell Partnership Interests.

The Palestine Investment Fund
by its attorneys

/s/ Stephen P. Wright
Stephen P. Wright ct02255
Harlow, Adams & Friedman, P.C.
300 Bic Drive
Milford, CT 06460
(203) 878-0661
(203) 878-9568 (fax)

-Of Counsel-

Robert J. Tolchin, Esq.
JAROSLAWICZ & JAROS
Attorneys for the Palestine Investment Fund
150 William Street, 19th floor
New York, New York 10038
(212) 227-2780

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CAHILL GORDON & REINDEL LLP
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60 No. Main Street, Second Floor
Waterbury, CT 06702
(email jtinley@tnrdlaw.com, egolembiewski@tnrdlaw.com)

/s/ Stephen P. Wright

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PROPERTY EXECUTION PROCEEDINGS
CLAIM FOR DETERMINATION OF
INTERESTS IN DISPUTED PROPERTYSTATE OF CONNECTICUT
SUPERIOR COURT
www.jud.state.ct.usJD-CV-5c Rev. 3-02.
C.G.S. 52-356c

INSTRUCTIONS

JUDGMENT CREDITOR OR ATTORNEY, OR
PERSON CLAIMING INTEREST IN PROPERTY

1. Complete application in triplicate.
2. Present original and one copy to the clerk of court.
3. Retain copy for your file.

CLERK

1. Upon filing of claim set down for hearing on date certain.
2. Complete and sign order of notice.
3. Retain copy for file.

(NOTE: A claim concerning an interest in personal property sought to be levied on or a claim that the execution will prejudice the superior interest of a third person may be made by the third person or the judgment creditor within 20 days of the service of execution or upon application by the judgment creditor for a turnover order.)

DOCKET NO.
3:05mc208 (PCD)

DATE OF JUDGMENT

☐ JUDICIAL DISTRICT ☐ HOUSING SESSION ☐ SMALL CLAIMS AREA AT ☐ G.A. **U.S. DISTRICT COURT**

ADDRESS OF COURT

141 Church Street, New Haven, CT 06510

ORIGINAL CASE CAPTION

Estate of Ungar v. The Palastanian Auth., et al

DATE OF SERVICE OF EXECUTION OR
APPLICATION FOR TURNOVER ORDER

10/25/2006

NAME(S) AND ADDRESS(ES) OF JUDGMENT CREDITOR(S)

See Appendix "A"

NAME(S) AND ADDRESS(ES) OF JUDGMENT DEBTOR(S)

The Palestinian Authority - The Palastean
Liberation Organization - 1717 K. Street NW,
Suite 407, Washington, D.C. 20006

NAME(S) AND ADDRESS(ES) OF PERSON(S) CLAIMING INTEREST IN PROPERTY

See Appendix "A"

DESCRIPTION OF PROPERTY IN WHICH INTEREST IS CLAIMED

See Appendix "B"

STATEMENT OF BASIS OF CLAIM, SUPERIOR INTEREST OR NATURE OF DISPUTE (Attach additional sheets if more room is needed)

See Appendix "B"

DATE SIGNED 10-25-06	SIGNED (Not: Signing this document constitutes the appearance of any third person claimant.) 	TYPE IN NAME OF PERSON SIGNING AT LEFT Stephen P. Wright, Esq.
FOR THE JUDGMENT CREDITOR OR PERSON CLAIMING INTEREST: (Name and address of Attorney or Pro Se Movant) Harlow, Adams & Friedman, P.C., 300 Bic Drive, Milford, CT 06461		
TEL. NO. 203-878-0661	JURIS NO. (If attorney or firm) ct02255	

ORDER FOR HEARING AND NOTICE

DATE OF HEARING	TIME OF HEARING (am/pm)	COURTROOM	ADDRESS OF COURT (If different from above)
-----------------	-------------------------	-----------	--

The foregoing claim having been presented to the court, it is hereby ordered that a hearing be held thereon at a session of this court to be held within and for the above-named Court Location shown above on the Date and Time shown above, and that the applicant give notice to all persons known to claim an interest in the disputed property of the pendency of such claim and of the time and place where it will be heard, by having a true and attested copy of the claim and of this order served upon the interested persons in the manner prescribed by law, at least six days before the date of the hearing.

DATED AT (Town)	ON (Date)	FOR COURT USE ONLY
BY THE COURT	SIGNED (Assistant Clerk)	
TO ANY PROPER OFFICER By authority of the State of Connecticut you are hereby commanded to serve a true and attested copy of the above claim upon the judgment creditor(s), judgment debtor(s) and person(s) claiming an interest in property named above by leaving in their hands or at their usual place of abode on or before six days before the hearing date shown above. Hereof fail not but due service and return make.		
DATED AT (Town)	SIGNED (Assistant Clerk)	

PROPERTY EXECUTION PROCEEDINGS

APPENDIX "A"

1. The Estate of Yaron Ungar
2. Dvir Ungar
3. Yishai Ungar
4. Judith Ungar
5. Meir Ungar
6. Michal Cohen
7. Amichai Ungar
8. Dafna Ungar

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APPENDIX "B"

**UNITED STATES DISTRICT COURT
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Harlow, Adams & Friedman, P.C.
300 Bic Drive
Milford, CT 06460
(203) 878-0661
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